

particular pattern is suitable to this particular tract and people residing there ?

Sri S. NIJALINGAPPA.—That is under the study of the Government. We will see that no drop of water will be wasted.

Sri S. SIVAPPA.—What would be the water available to Mysore State when all the projects undertaken by the Andhra Government are completed. Will the State of Mysore have its due share of water when all the Andhra Projects are completed ?

Mr. SPEAKER.—The Hon'ble Member is putting it wrongly. That the Andhra Government has got priority is wrong.

Sri S. SIVAPPA.—The fear is that if all the Andhra projects are completed, the Mysore State may suffer in this behalf.

Sri S. NIJALINGAPPA.—Andhra people may go on building as they like. There is the allotment of waters. Because Andhra puts up huge big dams, it does not mean that we must suffer.

ಶ್ರೀ ಸಿ. ಜಿ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ಹಳೇಬೀಡು ಇದ್ದಕ್ಕಿಂತ ನಾಹೇಬದು ಇದನ್ನು ರೀ ಒಪ್ಪನ ಮಾದು ವುಡ್ಲಿ ಎಂದು ಹೇಳುತ್ತಾರೆ. ಹಾಗಾದರೆ ಈ ವಿಷಯ ಪುನಃರೀ ಒಪ್ಪನ ಅಗುವುದಿಲ್ಲವೇ ?

ಶ್ರೀ ಎಸ್. ನಿಜಲಿಂಗಪ್ಪ.—ರೀ ಒಪ್ಪನ ಮಾದರೇಬೇಕು.

ಶ್ರೀ ಎಸ್. ಎಂ. ಗುರೈಡ್ಡಿ.—ನಾರಾಯಣಪುರದಲ್ಲಿ ಡ್ಯಾಮ್ ಕಟ್ಟಿದರೆ ವಿಜಾಪುರ ಜಿಲ್ಲೆಯಲ್ಲಿ ನೀರಾವರಿಗೆ ಅನುಕೂಲವಾಗುತ್ತದೆಯೇ ?

ಶ್ರೀ ಎಸ್. ನಿಜಲಿಂಗಪ್ಪ.—ನೀರಾವರಿಯಾಗುವುದು ಕಷ್ಟ.

Sri S. M. KRISHNA.—I would like to put a provocative question, Sir. Does the Government of Mysore expect justice from the present Ministry of Irrigation at the Centre ?

Mr. SPEAKER.—I disallow it.

Sri S. NIJALINGAPPA.—I refuse to be provoked, Sir.

Mr. SPEAKER.—I disallow that question. The Hon'ble Chief Minister need not answer that question.

Various suggestions made by the Planning Commission in respect of the Mysore Land Reforms Act.

*Q.—818. Sri G. V. GOWDA (Palya).—

Will the Government be pleased to State:—

(a) the various suggestions made by the Planning Commission in respect of the Mysore Land Reforms Act ;

(b) the date on which the said suggestions were received by Government ;

(c) whether any decision had been taken in respect of the said suggestions and if so, when ?

A.—Sri M. V. KRISHNAPPA (Minister for Revenue).—

(a) The suggestions received from the Planning Commission/ Government of India are:

1 Rights accrued to tenants regarding security of tenure or rents should not be taken away.

2 Transfers made after 29th November 1958 which have the effect of reducing the surplus area available under the ceiling laws should be disregarded.

3 'Personal supervision' should include residence in the village during the main agricultural season on the part of the cultivator or a member of his family and this condition should be enforced.

4 Resumption should not be permitted in the former Bombay and Hyderabad areas except in respect of lands which had been resumed or for which application for reservation had been made by the dates specified in the relevant Acts, namely—31st December, 1956 and 10th May 1957 respectively.

5 Lands taken possession of by the Land lords after the dates specified in clause 7 (2) of the Bill [Section 7 (1) of the Act] either through ejectments or surrenders should be set off against lands that can be resumed.

6 Surrendered land should be registered with the Revenue Officer, who should permit the land lord only to take possession of so much of the area that he is entitled to resume under the Law of Resumption and the excess land declared surplus and resumed to Government.

7 Tenants ejected after a particular year who are entitled to apply for restoration must be enabled to do so, without the stipulation of 6 years' continuous possession.

8 Right of purpose not conferred on tenants of small holders should be available only to such persons as were small holders on the date of publication of the Bill and have continued to be small holders at the commencement of the Act. Transfers made after the publication of the Bill should be disregarded, except, in cases of partitions made among co-sharers or such other obligatory transfers as may have been made under Court decrees.

9 Level of ceiling should be brought down to the level provided in the Hyderabad Laws applicable to Karnatak area.

10 All transfers made after 10th May, 1957 should be disregarded in computing the surplus area except of *bona fide* sales for valuable consideration by registered deeds to agriculturists when the transferee may be permitted to retain the land up to the ceiling limit.

11 Only Co-operative Societies including Land Mortgage Banks which are genuine should be exempted from ceiling and the ceiling area should be computed by taking into account the share of every individual member.

12 Existing linaloe plantations should be exempted from the ceiling and an economic limit should be indicated for future acquisition for linaloe and other plantations of medicinal herbs.

13 Cases of investments made by the owner himself or by the tenants should be taken into account regarding arecanut plantations in ordering exemptions from the ceiling limit.

14 Plantation lands vesting in Government on the imposition of ceiling should be given for plantation purposes only in viable units, adjacent plantation holders being given preference by amending clause 77.

15 'Ancillary purpose' in relation to plantations should be explained in the rules.

16 Planters should be permitted to retain the interspersed lands even if they exceed the ceiling limit unless such area can be managed as an independent unit.

17 Bye-laws as provided in clause 95 need not be imposed on Co-operative Farming Societies.

18 In disposing of surplus lands preference may be given to individuals falling in the categories (i), (ii) and (iii) of clause 77 who are willing to join a Co-operative Farming Society.

19 The Mysore Land Reforms Act, 1961 should be implemented only after review of the above suggestions by the State Government and proposing suitable amendments.

(b) Seventh March 1962.

(c) Yes, on the 4th September 1963.

Sri G. V. GOWDA.—Whether Government has any data about the availability of surplus land that we will have by the time this law is enacted?

Sri M. V. KRISHNAPPA.—That does not arise out of this question.

Sri G. V. GOWDA.—Are the Government aware that by the time they were to implement the provisions of the Act, no surplus would be available and the purpose for which the Act is adopted would be defeated?

Sri M. V. KRISHNAPPA.—The question is quite different from the enforcement of the land reforms.

Sri G. V. GOWDA.—Will the Government assure the House that they would incorporate the second suggestion "Transfers made after 29th November 1958 which have the effect of reducing the surplus area available under the ceiling Laws should be disregarded"—that they would incorporate this suggestion as an amendment to the Land Reforms Act?

Sri M. V. KRISHNAPPA.—The whole matter is under consideration and correspondence is going on between the State and the Centre and at this stage I cannot make an assurance.

Sri KADIDAL MANJAPPA.—May I know why the Government of Mysore took 1½ years to consider the suggestions of the Planning Commission?

Sri M. V. KRISHNAPPA.—It was properly replied yesterday. ಅವರ ಅನುಮತಿ ಕೊಟ್ಟ ಮೇಲೆ (ಮಾರ್ಚ್ 6ನೇ ತಾರೀಖು) ಇನ್ನೂ ಈ ಸರ್ಕಾರ ಬಂದಿರಲಿಲ್ಲ. ಆಗ ಈ ಎಂಟು ಕಂಡೀಷನ್‌ಗಳನ್ನೂ ಹಾಕಿ.

You must incorporate it in the Act ಎಂದು ಹೇಳಿದರು. ಆ ಮೇಲೆ ಆಗಲೇ ಹೇಳಿದ ಹಾಗೆ ಇದರಲ್ಲಿ far-reaching suggestions ಇವೆ.

For example, if we dishonour all the transfers that have taken place from 29th November 1958 when the Act has been published, hundreds of people who have transferred lands will be opening the flood-gates of litigation. These are all things to be taken into account. In that letter alone they said that the coming Government should take into account all these points in Mysore State and they should enforce the Land Reforms Act, not the present Government. When the new Government came into being in Mysore State in June, we studied the whole matter and correspondence took place between the Centre and the State and the Central Ministers and officers came in September and we had a meeting. In the September meeting the Central Government assured that State Government that by November Session of the Parliament they would amend Art. 31A, which is very essential to enforce the land reforms; they said that they would definitely do it. We were expecting that they would amend the Constitution in November 1962, by which time the emergency, the Chinese aggression started. That is why I said yesterday that the emergency was responsible for the inability on the part of the Central Government to amend Art. 31A of the Constitution. Hence all this delay.

Sri KADIDAL MANJAPPA.—Have the Government considered the proposal of implementing the Second Chapter and other provisions relating to tenancy and payment of rent pending finalisation of the 17th Amendment of the Constitution?

ಶ್ರೀ ಎಂ. ವಿ. ಕೃಷ್ಣಪ್ಪ.—ಅದೂ ಕೂಡ ಸರ್ಕಾರದವರ ಮುಂದೆ ಬಂದು ಏನು ಮಾಡಬೇಕೆಂದು ಯೋಚನೆ ಮಾಡಿದೆವು. ಉದ್ದೇಶ ಹೀಗಿದೆ. ಬಹಳ ಬೇಗ ಸುಧಾರಣೆಯನ್ನು ಜಾರಿಗೆ ತರಬೇಕೆಂದು ಆಶೆ ಇದೆ. ಆದರೆ ಡಿಫೆಕ್ಸಿವ್ ಲೆಜಿಸ್ಲೇಷನ್ ಆದರೆ ಮುಂದೆ ತೊಂದರೆಯಾಗುತ್ತದೆ ಎಂದು ತೀರ್ಮಾನವಾಯಿತು. ಹಾಗೇನಾದರೂ ಕೇಂದ್ರ ಸರ್ಕಾರದವರು 31 (ಎ) ಅದ್ಭುತವೆ ಮಾಡಬೇಕೆಂದು ಹೋದರೆ then we will consider whether we can enforce it by parts ಎಂದು ಹೇಳಿದರು. ಈಗ ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಅದ್ಭುತವೆ ತಂದಿದ್ದಾರೆ; ಬಹುಶಃ ಮುಂದಿನ ಅಧಿವೇಶನದಲ್ಲಿ ಪಾಸ್ ಮಾಡುತ್ತಾರೆ. ಆದರೆ ಪಾಸ್ ಮಾಡಿದ ತಕ್ಷಣವೇ ಬಂದೇ ಸಲ ಜಾರಿಗೆ ತರುವುದಕ್ಕೆ ಅನುಕೂಲವಾಗುತ್ತದೆ.

Sri K. S. SURYANARAYANA RAO.—Government has been pleased to say that a decision has been arrived at on 4th September 1963. What are all the recommendations you have accepted, or is it open to the State Government at this stage to reject any of the recommendations made by the Planning Commission?

Sri M. V. KRISHNAPPA.—That was just a tentative decision arrived at. The Centre and the State representatives met and we arrived at tentative decisions. As I said yesterday since the entire matter is under correspondence, it is not right for us to reveal those decisions.

Sri V. S. PATIL.—The Honourable Minister said that there are lacunae or the Act is defective in certain matters. Except the word 'estate' is there any other defect found by the Government?

Sri M. V. KRISHNAPPA.—One word will do. That one word which has been set down by the Supreme Court in the Agrarian Relation Act of Kerala—that would make us not to introduce the land reforms in Madras, Karnatak and Hyderabad Karnatak. So we can introduce, leaving Bombay and Hyderabad Karnataks in piecemeal in the rest of the area. That is a matter which is to be taken into consideration by the House.

Sri KADIDAL MANJAPPA.—May I know the exact difficulty of Government to enforce the provisions relating to leases?

ಶ್ರೀ ಎಂ. ವಿ. ಕೃಷ್ಣಪ್ಪ.—ಪೀಸ್‌ಮಾರ್ ಆಗಿ ಮಾಡುವುದಕ್ಕಿಂತಲೂ ಒಂದೇ ಸಲ ಮಾಡೋಣ ಎಂಬುದು ಸರ್ಕಾರದವರ ಸಿದ್ಧಾಂತ. ಏನಾದರೂ ಕೇಂದ್ರ ಸರ್ಕಾರದವರು 31 (ಎ) ಆರ್ಟಿಕಲ್ ತಿದ್ದುಪಡಿ ಮಾಡುವುದಕ್ಕೆ ನಿರ್ಧಾನವಾಗುತ್ತದೆ ಎಂದರೆ ಬಹುಶಃ ಆ ಎರಡು ಭಾಗಗಳನ್ನು ಬಿಟ್ಟು ಜಾರಿಗೆ ತರುವುದಕ್ಕೆ ಪ್ರಯತ್ನ ಪಡುತ್ತಾ ಇದ್ದೆವು. ಆದರೆ ಈಗ ತಿದ್ದುಪಡಿ ಪಾರ್ಲಿಮೆಂಟ್ ಮುಂದೆ ಬಂದಿದೆ, ಸೆರೆಕ್ಸ್ ಕಮಿಟಿ ಮುಂದೆ ಹೋಗಿದೆ, ಆದ್ದರಿಂದ ಒಂದೇ ಸಲ ಜಾರಿ ಮಾಡೋಣ ಎಂದು ಹೇಳಿದ್ದಾರೆ. ತುರ್ತು ಪರಿಸ್ಥಿತಿ ಇಲ್ಲದೇ ಇದ್ದಿದ್ದರೆ ತಾವು ಹೇಳುವ ಹಾಗೆ ಮಾಡಲು ನಾವು ಯೋಚನೆ ಮಾಡುತ್ತಾ ಇದ್ದೆವು.

Sri V. S. PATIL.—My question is about taking of the lands from the land owners—that may amount to certain things and that is why the amendment is proposed to the Constitution. Except that, is there any defect found out by the present Government regarding the Bill passed at the last session?

Sri M. V. KRISHNAPPA.—The Planning Commission has suggested 18 points. That itself shows that they have to incorporate them in the main Act.

Sri K. S. SURYANARAYANA RAO.—By accepting the recommendations of the Planning Commission, is it not a fact that the very scheme of land reforms gets changed?

ಶ್ರೀ ಎಂ. ವಿ. ಕೃಷ್ಣಪ್ಪ.—ಇದರಲ್ಲಿ ಅಂತಹ ಮೂಲಭೂತವಾದ ಬದಲಾವಣೆ ಬರುವ ಸಂಭವ ಇಲ್ಲ.

Sri D. M. SIDDIAH.—Are the State Government aware when exactly the Central Government will bring an amendment to Art 31A?

Sri M. V. KRISHNAPPA.—It has been introduced and it is referred to the Select Committee.

ಶ್ರೀ ಬಿ. ಎಂ. ಗೌಡ.—ದೊಡ್ಡ ದೊಡ್ಡ ಜಮೀನುದಾರರು ತಮ್ಮ ಜಮೀನುಗಳನ್ನು ಮಾರಾಟ ಮಾಡುತ್ತಾ ಇರುವುದು ಗೊತ್ತೇ? ಅದನ್ನು ತಪ್ಪಿಸುವುದಕ್ಕೆ ಏನು ಕಾರ್ಯಕ್ರಮ ತೆಗೆದುಕೊಂಡಿದ್ದಾರೆ?

Sri M. V. KRISHNAPPA.—ಈಗಾಗಲೇ ಮಾರಿಕೊಂಡಿದ್ದಾರೆ. ಯಾರು ಮಾರಿಕೊಂಡಿಲ್ಲ, ಅವರೇ ಇದನ್ನು ಬೇಗ ಜಾರಿಗೆ ತೆಗೆದುಕೊಂಡು ಬಿಟ್ಟು ಎಂದು ಹೇಳುತ್ತಾ ಇರುವುದು. They also want to know where exactly they stand. This state of suspension they do not like. So it is not on account of landed interests that the Act is delayed. They are very anxious to enforce it as early as possible.

SRI KADIDAL MANJAPPA.—Has it come to the notice of Government that in certain places there have been wholesale evictions in spite of the temporary protection given by Government ?

ಶ್ರೀ ಎಂ. ವಿ. ಕೃಷ್ಣಪ್ಪ.—ಆ ರೀತಿ ಆಗಿದ್ದರೆ ತಕ್ಕ ಕಾರ್ಯಕ್ರಮ ತೆಗೆದುಕೊಂಡು ಶಿಕ್ಷೆ ಮಾಡುತ್ತಾರೆ.

ಶ್ರೀ ಸಿ. ಜಿ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ರಾಜ್ಯಾಂಗದ ಅದ್ವೈತದಿ ಮಾಡುವವರೆಗೂ ಕಾಯುತ್ತೇವೆ ಎಂದು ಹೇಳಿದರೆ, ಈ ಭೂಸುಧಾರಣೆಯ ವಿಷಯದಲ್ಲಿ ಸರ್ಕಾರದವರ ದೃಢ ನಿರ್ಧಾರವೇನು ?

ಶ್ರೀ ಎಂ. ವಿ. ಕೃಷ್ಣಪ್ಪ.—ಭೂಸುಧಾರಣೆ ಮಾಡಬೇಕೆಂಬುದೇ ಸರ್ಕಾರದ ದೃಢ ನಿರ್ಧಾರ. ಎಷ್ಟು ಬೇಗ ಸಾಧ್ಯವೋ ಅಷ್ಟು ಬೇಗ ಜಾರಿಗೆ ತರಲು ಪ್ರಯತ್ನ ಮಾಡುತ್ತಾ ಇದ್ದೇವೆ. ಗ್ರಾಮ ನೌಕರರ ರದ್ದಿಯಾತಿ ಕಾನೂನನ್ನು ಬಹಳ ಜೋರಾಗಿ ಜಾರಿಗೆ ತರಬೇಕೆಂದು ಹೊರಟಿವು, ಕೆಲವರು ಹೈಕೋರ್ಟಿಗೆ ಹೋಗಿ ರಿಟಿನಲ್ಲಿ ಸ್ಟೇ ಬಂತು.

Abolition of Hereditary Rights of Village Officers Actನ್ನು ಕೂಡಲೇ ಜಾರಿಗೆ ತರುವುದಕ್ಕೆ ಆಗಿಲ್ಲ.

We could not do anything. The whole matter is pending. ಆ ರೀತಿ ಮಾಡುವುದಕ್ಕಿಂತಲೂ when we definitely know that certain provisions of the Act have been struck down by the Supreme Court, it is better to amend those things and bring a perfect Act.

ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.—ನುಖೀಂ ಕೋರ್ಟಿನಲ್ಲಿ ಹೊಡೆದುಹಾಕಿರುವಾಗ ಆ ಕೆಲವು ಪ್ರಕರಣಗಳನ್ನು ಬಿಟ್ಟು ಉಳಿದ ಮಸೂದೆಯನ್ನು ಜಾರಿಗೆ ತರುವುದಕ್ಕೆ ಅಡಚಣೆಗಳೇನಿವೆ ?

ಅಧ್ಯಕ್ಷರು.—ಅದನ್ನು ಕೇಳಿ ಆಯಿತು.

1.30 P.M.

SRI 'G. V. GOWDA.—May I know that the stand of this Government having regard to the ceiling of the neighbouring States ?

SRI M. V. KRISHNAPPA.—Sir, it is too early for me to say anything in the matter. But, our neighbours' ceilings are higher than ours.

ಶ್ರೀ ಎ. ಜಿ. ದೊಡ್ಡ ಮೇಟಿ.—ಇನ್ನೆಷ್ಟು ದಿವಸದಲ್ಲಿ ಈ ಬಗ್ಗೆ ಆಪ್ತರು ನಿರ್ಣಯವನ್ನು ತೆಗೆದುಕೊಳ್ಳುತ್ತೀರಿ ?

ಶ್ರೀ ಎಂ. ವಿ. ಕೃಷ್ಣಪ್ಪ.—ಇದು ಈಗಾಗಲೇ ಕಡೆ ಹಂತದಲ್ಲಿದೆ. ಈ ವಿಚಾರದಲ್ಲಿ ಸಾಧ್ಯವಾದಷ್ಟು ಬೇಗ ಒಂದು ತೀರ್ಮಾನಕ್ಕೆ ಬರಲಾಗುತ್ತದೆ.

ಶ್ರೀ ಎ. ಎಂ. ದೇವ್.—ಇದನ್ನು ಕೂಡಲೇ ಜಾರಿಗೆ ತರುತ್ತೀರಾ ?

ಶ್ರೀ ಎಂ. ವಿ. ಕೃಷ್ಣಪ್ಪ.—ತುರ್ತು ಪರಿಸ್ಥಿತಿ ಬಂದು ಇದು ಸ್ವಲ್ಪ ನಿಧಾನವಾಯಿತು. ಇಲ್ಲದಿದ್ದರೆ ಇದು ಎಂದೋ ಆಗಿಹೋಗಬೇಕಾಗಿತ್ತು.

ಶ್ರೀ ಕೃಷ್ಣಶೆಟ್ಟಿ.—ಈ ಕಾನೂನನ್ನು ಬಾಕಿ ಇಟ್ಟಿದ್ದರಿಂದ ಎಷ್ಟು ಜನರಿಗೆ ತೊಂದರೆಯಾಗಿದೆ ಎಂಬುದು ಸರ್ಕಾರದವರಿಗೆ ಗೊತ್ತಿದೆಯೇ ?

ಶ್ರೀ ಎಂ. ವಿ. ಕೃಷ್ಣಪ್ಪ.—ಗೇಣಿದಾರರರಿಗಿಂತ ಗೇಣಿ ತೆಗೆದುಕೊಳ್ಳುವವರಿಗೆ ಬಹಳ ತೊಂದರೆಯಾಗಿದೆ ಎಂದು ನನಗೆ ತಿಳಿದು ಬಂದಿದೆ.

MR. SPEAKER.—Question hour is over.